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5 UNITED STATES DISTRICT COURT
6 WESTERN DISTRICT OF WASHINGTON
7 AT TACOMA

8 UNITED STATES OF AMERICA,

9 Plaintiff,

v.

10 ROBIN P. ROBERTS,

11 Defendant.

CASE NO. CR16-5419BHS

ORDER

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13 This matter comes before the Court on the Unopposed Defense Motion to
14 Continue Trial Date and Pretrial Motions Due Date. The Court, having considered the
15 unopposed motion and the Defendant's speedy trial waiver makes the following findings
16 of fact and conclusions of law:

17 1. The defense has been provided a new fact and un-redacted versions of
18 discovery and therefore needs additional time to review and examine the same.

19 2. The defense needs additional time to explore all relevant issues and defenses
20 applicable to the case, which would make it unreasonable to expect adequate preparation
21 for pretrial proceedings or for trial itself within the time limits established by the Speedy
22 Trial Act and currently set for this case. 18 U.S.C. § 3161(h)(7)(B)(ii).

1 3. Taking into account the exercise of due diligence, a continuance is necessary to
2 allow the defense the reasonable time for effective preparation and to ensure continuity of
3 counsel. 18 U.S.C. § 3161(h)(7)(B)(iv).

4 4. Proceeding to trial absent adequate time for the defense to prepare would result
5 in a miscarriage of justice. 18 U.S.C. §3161(h)(7)(B)(i).

6 5. The ends of justice served by granting this continuance outweigh the best
7 interests of the public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(A).

8 6. Defendant waived speedy trial through October 31, 2017.

9 NOW, THEREFORE, IT IS HEREBY ORDERED that the trial date is continued
10 from May 16, 2017, to September 12, 2017, at 9:00 a.m. The resulting period of delay
11 from April 19, 2017, to September 12, 2017, is hereby excluded for speedy trial purposes
12 under 18 U.S.C. § 3161(h)(7)(A) and (B).

13 Pretrial motions are due no later than July 27, 2017. Pretrial Conference is set for
14 September 5, 2017 at 1:30 p.m. The government's response to the Defendant's motion to
15 suppress filed on November 18, 2016 (Dkt. 24) is due by July 27, 2017.

16 Dated this 21st day of April, 2017.

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19 BENJAMIN H. SETTLE
20 United States District Judge
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